

REMARKS

Claims 1-18 are pending in the application. Claim 1 has been amended to specify that winding template 29 and deflection element 31 are secured to carrier device 23 and that carrier device 23 is rotatable about a pivot axis 36. Claim 11 has been amended to specify that the winding template 29 is rotatable. Support for the amendments to claims 1 and 11 may be found, for example, on page 5, lines 29 to page 6, line 6 of the specification and on page 8, lines 21 to page 9, line 3 of the specification. No new matter has been added.

Claims Rejections 35 U.S.C. 102

Claims 1-5, 9-15, and 18 are rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by Shimada (US 4,340,186). The Examiner's rejection has been carefully considered. In response to the Examiner's rejection, Applicant has amended claim 1 to specify that winding template 29 and deflection element 31 are secured to carrier device 23 and that carrier device 23 is rotatable about a pivot axis 36. Applicant believes that claim 1, as amended, overcomes the outstanding rejection of claims 1-5, 9-15, and 18 for reasons that follow.

In the rejection of claim 3, the Examiner writes that Shimada discloses a carrier device in FIG. 3 that is rotatable about a pivot axis (28,b). Applicant respectfully disagrees with this interpretation of Shimada.

In Shimada, the winding template appears to be realized by core 16 (column 3) and the deflection element by the surface 24,25, which are displaceable relative to one another as these surfaces are part of pins 20 and 21, which are "*rotatably arranged in forming members 11 and 12 parallel to the direction a.*"

Shimana discloses a pair of opposed forming members 11 and 12 fixed to support 10. A former block is slidable between forming members 11 and 12 in the direction shown by arrow a, and is urged rightward by spring 13 (FIG. 3). Former block 14 and core 16 are firmly pressed together by the urging of spring 13. Former block 14 is thus reciprocated together with core 16 in the direction shown by arrow a. As former block 14 is only moveable in the direction shown by arrow a, former block 14 cannot rotate and is not rotatable. Referring to FIG. 4 of Shimana, former block 14 is definitely not rotatable because it has a rectangular cross section which is bounded, for example, by members 11 and 12. Consequently, forming members 11 and 12 and also support 10 are not rotatable about a pivot axis.

Since pins 20 and 21 are rotatable in bores which are placed in members 11 and 12, they cannot be secured in members 11 and 12. Pins 20 and 21 are secured in support 10 via bearings (shown symbolically as rectangles with a cross) in support 10 above gears 30 and 31.

In making the outstanding rejection, it appears that the Examiner equated the presently claimed carrier device to Shimana's support 10 and/or the fixed forming members 11 and 12. There is no other part of the Shimana apparatus that could be interpreted as or equated to the presently claimed carrier device. None of support 10 and/or the fixed forming members 11 and 12 in Shimana, however, are rotatable about a pivot axis.

Regarding claim 11, as amended, former block 14 of Shimana may correspond to presently claimed winding template 29. Former block 14 is not rotatable and therefore does not anticipate present claim 11, which recites a rotatable winding template.

Applicant respectfully requests that the rejections of claims 1-5, 9-15, and 18 as being anticipated by Shimana be withdrawn.

Claims Rejections 35 U.S.C. 103

Claims 6-8, 16, and 17 are rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Shimada in view of Lauder (3,765,080). The Examiner's rejection has been carefully considered. Applicant has amended claims 1 and 11 and believes that the claims, as amended, overcome the rejections under 35 U.S.C. 103(a) for the reasons presented in the response to the rejections of the claims under 35 U.S.C. 102(b). Applicant respectfully requests that the rejection under 35 U.S.C. 103(a) be withdrawn.

Conclusion

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Striker', with a long horizontal flourish extending to the right.

Michael J. Striker
Attorney for Applicant
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743
631-549-4700